

Court of Appeals, State of Michigan

ORDER

People of MI v Matthew Timothy Villegas

Docket No. 278601

LC No. 07-001135-FH

Alton T. Davis
Presiding Judge

Peter D. O'Connell

Donald S. Owens
Judges

The Court orders that the motion for peremptory reversal pursuant to MCR 7.211(C)(4) is GRANTED for the reason that a person must plead guilty to be eligible for sentencing as a youthful trainee. MCL 762.11(1). Defendant's testimony during his trial does not constitute a guilty plea invoking the protections and responsibilities of MCR 6.302 or resulting in judicial economy from foregoing a trial.

The portion of the judgment of sentence which granted defendant youthful trainee status is VACATED and the cause is REMANDED to the trial court for resentencing. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

AUG 20 2007

Date

Sandra Schultz Mengel
Chief Clerk